

11-22-04

IFW RCE
2876

Atty. Dkt. No. 025416-0204

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Daniel Toohey
Title: DIGITAL VIDEO AUDIT
SYSTEM
Appl. No.: 09/239,671
Appl. Filing Date: 1/29/1999
Examiner: Daniel St. Cyr
Art Unit: 2876

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 420552030 us	November 19, 2004
(Express Mail Label Number)	(Date of Deposit)
(Printed Name)	Jose Ramos
(Signature)	

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on ____.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

11/23/2004 HALI11 00000102 500872 09239671
05FC:1801 790.00 DA
08FC:1201 264.00 DA
03FC:1202 306.00 DA
04FC:1255 2080.00 DA

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ???.

☐ Other .

b. Enclosed are:

☒ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	37	- 20	= 17	x \$18.00	= \$306.00
Independents	6	- 3	= 3	x \$88.00	= \$264.00
First presentation of any Multiple Dependent Claims:				+ \$300.00	= \$0.00
CLAIMS FEE TOTAL:					= \$1360.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$430.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$980.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,530.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the fifth month:	\$2,080.00		\$2,080.00
EXTENSION FEE SUBTOTAL:				\$2,080.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$2,080.00
CLAIMS AND EXTENSION FEE TOTAL:				\$3,440.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$3,440.00

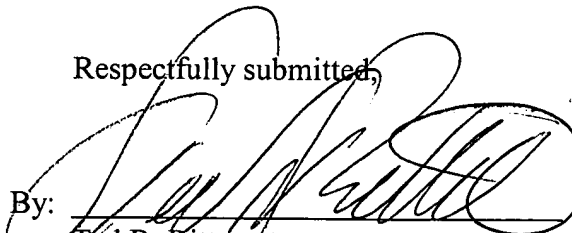
☒ Please charge Deposit Account No. 50-0872 in the amount of \$3,440.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$3,440.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: November 19, 2004
 FOLEY & LARDNER LLP
 Customer Number: 23392
 Telephone: (310) 975-7963
 Facsimile: (310) 557-8475

Respectfully submitted,

 By: Ted R. Rittmaster
 Attorney for Applicant
 Registration No. 32,933